

Department of Agriculture

Notice of Intent to Adopt Regulations

In accordance with section 4-168(a) of the Connecticut General Statutes, notice is hereby given that the Commissioner of Agriculture, pursuant to the authority of section 22-203h of the Connecticut General Statutes, proposes to adopt regulations concerning the establishment of sanitation standards for bulk milk transport tankers and the transportation of milk and milk products applicable to transporters of milk and milk products.

Statement of Purpose: To establish sanitation standards for bulk milk transport tankers and the transportation of milk and milk products.

All interested persons are invited to submit written data, views or arguments in connection with the proposed action. Any comments must be received within thirty days following publication of this notice in the Connecticut Law Journal. Written comments may sent to the,

State of Connecticut
Department of Agriculture
165 Capitol Ave.
Hartford, CT 06106
Attention: Wayne Kasacek, Asst. Director, Bureau of Regulation and Inspection

Copies of the proposed regulation may be obtained by writing to the Department of Agriculture at the above address or by telephoning (860)713-2508. The proposed regulation may also be viewed by visiting the Department of Agriculture's internet website at <http://www.ct.gov/doag/> and clicking on "Proposed Regulations".

IMPORTANT: Read Instructions on bottom of Certification Page before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations.

STATE OF CONNECTICUT REGULATION

of

NAME OF AGENCY

DEPARTMENT OF AGRICULTURE

Concerning

SUBJECT MATTER OF REGULATIONS

Standards for Bulk Milk Transport Tankers
and the Transportation of Milk and Milk
Products

Section 1. The Regulations of Connecticut State Agencies are amended by adding sections 22-203h-1 and 22-203h-2 as follows:

(NEW) Section 22-203h-1. Bulk milk tanker, standards.

- (a) The following are incorporated by reference. Section 5 and Appendix B of the Grade A Pasteurized Milk Ordinance (PMO), Recommendations of the United States Public Health Service/Food and Drug Administration as amended from time to time.
- (b) The commissioner or the commissioner's designated agent may inspect each permitted bulk milk tanker annually. The inspection may take place at any location the tanker is found to be picking up milk, unloading milk, being washed or where the tanker is housed.
- (c) After each inspection the commissioner or the commissioner's designated agent may affix a decal to each bulk milk tanker found to be compliance with this section. The decal shall indicate the month and year the inspection period expires. Those bulk milk tankers that are not in compliance with this section may be issued a notice of non-compliance and may be required to submit proof of compliance to the commissioner within sixty (60) days from the date of the notice of non-compliance.
- (d) Bulk milk tankers housed outside the state of Connecticut which do not carry a valid inspection certificate from another state may be inspected by the commissioner or the commissioner's designated agent, provided that an inspection fee of ten (10) dollars is paid to the commissioner. Those out of state bulk milk tankers found to be in compliance with this section may have a decal affixed to them which shall indicate the month and year the inspection period expires.
- (e) Bulk milk tankers housed outside the state of Connecticut which do not carry a valid inspection certificate from another state which choose not to be inspected shall be issued a notice of non-compliance and shall be required to submit proof of compliance within sixty (60) days from the date of the notice of non-compliance.
- (f) Those bulk milk tankers who have not submitted proof of compliance when a notice of non-compliance has been issued shall be barred from transporting milk or milk products from or to any person, firm or company in Connecticut.
- (g) Whenever the commissioner or the commissioner's designated agent determines that a violation of this section may put the public health or safety at risk, the commissioner or the commissioner's designated agent may order that immediate action be taken to abate such violation(s) including but not limited to, prohibiting a bulk milk tanker from transporting milk or milk products from or to any person, firm or company in Connecticut until the violation is corrected. Proof of correction of the violation(s) shall be submitted to the commissioner before transporting milk resumes.

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(NEW) Section 22-203h-2. Bulk milk tanker. Reporting.

- (a) Annually in the month of April or upon acquisition of a new or replacement tanker(s) each person, firm or company located in Connecticut which picks up or transports milk into or out of Connecticut, shall provide the commissioner an accounting of all tankers transporting milk and milk products. Such accounting shall include, the vehicle identification number (VIN), license plate number and state, owner assigned number, make, model, year and capacity.
- (b) Each person, firm or company operating a bulk milk tanker located within the state shall apply to the commissioner for a permit to operate a bulk milk tanker. The application shall be upon forms provided by the department. The permit shall be in effect for one year from the date of application and renewed yearly.

The material incorporated by reference is available for public inspection and copying during business hours by contacting:

Connecticut Department of Agriculture
Bureau of Regulation and Inspection
165 Capitol Avenue
Hartford, CT 06106

Statement of Purpose: Modernize the regulations of the Connecticut Department of Agriculture. To establish sanitary standards for the construction and operation of bulk milk tankers.